



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/651,654 | 08/30/2000 | Satoshi Yashiro | CANO:013 | 2191 |

7590 08/29/2003
Rossi & Associates
P O Box 826
Ashburn, VA 20146-0826

EXAMINER

ALI, MOHAMMAD

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2177

DATE MAILED: 08/29/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

24

Office Action Summary

Application No.

09/651,654

Applicant(s)

YASHIRO, SATOSHI

Examiner

Mohammad Ali

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This communication is responsive to the Amendments filed on June 28, 2003.

Claims 1-18 are pending in this Office Action.

After a further search and a thorough examination of the present application, claims 1-18 are remain rejected.

Applicants arguments with respect to claims 1-18 have been considered, but they are not deemed to be persuasive.

Applicants argues that Sano does not teach, 'importance of the keywords in relation to the content of the image being searched'.

In response to Applicants arguments, the Examiner respectfully submits that in particular, Sano teaches this limitation as, the search information to a desired key word such that the user can easily search a desired image information from the second data base and the user while keeping with the search information as it is between the first and second data bases, see col. 2, lines 45-52 et seq. Hence, Applicants arguments do not distinguish over the claimed invention over the prior art of record.

Applicants argues that Sano does not teach, 'rearranging images corresponding to the keywords searched'.

In response to Applicants arguments, the Examiner respectfully submits that in particular, Sano teaches this limitation as, image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et

Art Unit: 2177

seq). Hence, Applicants arguments do not distinguish over the claimed invention over the prior art of record.

In light of the forgoing arguments, the 102 rejections are hereby sustained.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 rejected under 35 U.S.C. 102(b) as being anticipated by Yoshitaka Sano ('Sano' hereinafter), US Patent 5,038,379.

As to claim 1,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords assigned to said image data, said image search apparatus (col. 1, lines 10-15). In particular, Sano teaches an input means for inputting search terms (col. 1, lines 58-62).

means for searching for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, the means for rearranging images corresponding to the keywords searched by said search means accordingly to said

importance is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 3,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords assigned to said image data, said image search apparatus (col. 1, lines 10-15). In particular, Sano teaches an input means for inputting search terms (col. 1, lines 58-62).

means for searching for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, the means for rearranging images corresponding to the keywords searched by said search means accordingly to importance of the keywords in relation to the content of the image being searched and closeness in meaning of said closely related keywords is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61 et seq).

As to claim 7,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords assigned to said image data, said image search apparatus (col. 1, lines 10-15). In particular, Sano teaches an input means for inputting search terms (col. 1, lines 58-62).

means for searching for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, the means for rearranging images corresponding to the keywords searched by said search means accordingly importance,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61 et seq).

As to claim 9,

Sano discloses the claimed invention including, an image search apparatus, which searches image data according to keywords assigned to said image data, said image search apparatus (col. 1, lines 10-15). In particular, Sano teaches an input means for inputting search terms (col. 1, lines 58-62).

means for searching said storage means for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus

and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, the means for rearranging images corresponding to the keywords searched by said search means accordingly to importance,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61 et seq).

As to claim 13,

Sano discloses the claimed invention including, an image search method and apparatus in storage medium, which searches image data according to keywords assigned to said image data,... (col. 1, lines 10-15, Fig. 1).

searching for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, rearranging images corresponding to the keywords searched by said search means accordingly to importance,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 45-61 et seq).

As to claim 15,

Art Unit: 2177

Sano discloses the claimed invention including, an image search method and apparatus in storage medium, which searches image data according to keywords assigned to said image data, said image search apparatus,... (col. 1, lines 10-15, Fig. 1).

searching for keywords corresponding to images to be searched according to the search terms inputted by said input means is taught by Sano as search in the image information inputted from an image inputting apparatus and thereby to produce the search information to search desired (Keyword) image information in consideration (col. 1, lines 58-62). Finally, rearranging images corresponding to the keywords searched by said search means accordingly to importance,.... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 2,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 4,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image

Art Unit: 2177

information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61, col. 5, lines 1-16 et seq).

As per claim 5,

the rearranging means according to the level,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 6,

receiving the search terms inputted by a client,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 8,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 10,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image

Art Unit: 2177

information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61, col. 5, lines 1-16 et seq).

As to claim 11,

the means according to the level,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 14,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 16,

the means rearranges the images corresponding to the keywords searched by said search means accordingly,... is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61, col. 5, lines 1-16 et seq).

As to claim 12,

receiving the search terms inputted by a client,...is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 17,

priority according the importance,...is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

As to claim 18,

receiving the search terms inputted by a client,...is taught by Sano as the desired keyword for this image information including discriminating information to discriminate the image information for a plurality of image information of the same group (rearranging) from another image information (col. 2, lines 58-61 et seq).

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2177

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or TC 2100 customer service (703) 306-5631. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

August 26, 2003


JEAN R. HOMERE
PRIMARY EXAMINER